

## REMARKS

This is intended as a full and complete response to the Final Office Action dated April 19, 2007, having a shortened statutory period for response extended one-month set to expire on August 19, 2007. Please reconsider the claims pending in the application for reasons discussed below.

Claims 29, 30, 39-45, 49-61, 63-78, 85, 87-88, and 90-96 remain pending in the application after entry of this response. Claims 62, 79-84, 86, and 89 have been cancelled. Claims 61 and 85-88 stand rejected. Claims 29, 30, 39-45, 49-60, 63-69, and 72-78 are indicated to be allowable, and claims 62, 70, 71, and 89-94 are objected to. Claims 70-71 have been rewritten in independent form as new claims 95-96, respectively. Reconsideration of the rejected claims is requested for reasons presented below.

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126. The Examiner has treated misnumbered claims 74-95 as claims 73-94.

Applicant has renumbered claims 74-95 as claims 73-94, respectively.

### ***Election/Restrictions***

Newly submitted claims 79-84 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The apparatus as defined by the newly added claims 79-84 can be used to practice another and materially different process.

Claims 79-84 has been cancelled for being drawn to a non-elected invention.

### ***Claim Rejections Under 35 U.S.C. § 102***

Claims 61 and 85-88 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by *Glowka* (US 5,343,968) (see “earth removal member” 14, “fluid passage” 15 and “secondary fluid passage” 43 and “one way valve” 42; and column 6, line 43 through column 8, line 29).

Claim 61 has been amended to include the limitations of claim 62. Claim 85 has been amended to include the limitations of claim 89. Claims 62 and 89 were objected to by the Examiner. Therefore, Applicant believes claims 61 and 85 are in condition for allowance.

### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 29, 30, 32, 37, and 40-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee* (US 2004/0011566) in view of *Runia, et al.* ‘218 or *Glowka* ‘968.

Applicant believes the Examiner has mistakenly cited this rejection in the Office Action. As noted in two sections of this Office Action, these claims have been allowed. Further, this rejection is identical to the rejection on the previous Office Action, when claim 46 was still pending. Because Applicant believes this rejection was cited in error, Applicant has not addressed it here. If, however, this rejection is properly cited, Applicant would direct the Examiner to the Applicant’s comments in the previous response. Therefore, Applicant believes the claims are in condition for allowance.

### ***Allowable Subject Matter***

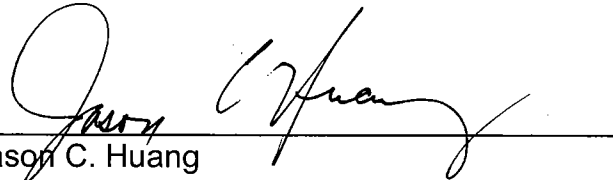
Claims 70, and 71 have been rewritten in independent form as claims 95, and 96, respectively. Allowance of the claims is respectfully requested.

### ***Conclusion***

Applicant believes all claims are now in condition for allowance.

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason C. Huang", is written over a horizontal line.

Jason C. Huang  
Registration No. 46,222  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicants